

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA

v.

**JOSE REYES
A/K/A TONY**

No. 1:11-cr-22-01-JD

SENTENCING ENHANCEMENT INFORMATION
[21 U.S.C. §§ 841(b)(1)(A)(ii), 841(b)(1)(B)(ii), 841(b)(1)(C), 851]

The United States informs the Court and defendant that defendant,

**JOSE REYES,
A/K/A TONY,**

is a person who has engaged in the commission of a felony drug offense, to wit: (1) engaging in a conspiracy to distribute, and possess with intent to distribute, cocaine and oxycodone, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(ii), 841(b)(1)(B)(ii), 841(b)(1)(C), and 846; and (2) distribution of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), after having been convicted of a felony drug offense¹ which has become final. Specifically, defendant was convicted:

- (1) in or around January, 2002, of trafficking in a controlled substance and possession with intent to distribute a Class B controlled substance, docket number 0210012001/0210012002, Suffolk, Massachusetts, Superior Court; and
- (2) in or around January, 2002, manufacturing a Class B controlled substance, docket number 9802CR7135, Roxbury, Massachusetts, District Court.

By filing this sentencing enhancement information, the United States Attorney hereby notifies the Court and defendant that upon conviction for any of the offenses charged in the indictment, defendant will be subject to increased punishment pursuant to 21 U.S.C. §§

¹Title 21, United States Code, Section 802 defines "felony drug offense" as any "offense that is punishable by imprisonment for more than one year under any law of the United States or of a State or foreign country that prohibits or restricts conduct relating to narcotic drugs, marihuana, anabolic steroids, or depressant or stimulant substances." See 21 U.S.C. § 802(44).

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841(b)(1)(A)(ii), 841(b)(1)(B)(ii), 841(b)(1)(C), and 851.

Dated: February 24, 2012.

Respectfully submitted,

JOHN P. KACAVAS
United States Attorney

By: /s/ Terry L. Ollila
Terry L. Ollila
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I, Terry L. Ollila, Assistant United States Attorney, hereby certify that a copy of the foregoing was sent to Paul Garrity, Esquire, counsel for defendant.

/s/ Terry L. Ollila
Terry L. Ollila
Assistant U.S. Attorney